

A-Engrossed
Senate Bill 516

Ordered by the Senate April 12
Including Senate Amendments dated April 12

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Judiciary)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires that *[all]* orders for payment of child support *[and]* or spousal support *[have monthly due date of first day of month in which payment is due]* **specify initial due date and year for payment that is on first day of calendar month, with subsequent payments due on first day of each subsequent month.**

Provides that for purposes of support enforcement, any support payment that becomes due and payable on day other than first day of month in which payment is due *[shall be considered to have accrued and become due and payable on first day of month]* **is enforceable by income withholding as of first day of that month.**

Provides that order for child, medical or spousal support that accrues on other than monthly basis may, for income withholding and administrative support billing purposes only, be converted to monthly amount.

Describes when support payments become delinquent.

Provides exception for determinations of due dates in issuance of liens and writs under ORS chapter 18.

A BILL FOR AN ACT

1
2 Relating to due dates for payment of support obligations.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) Any court order or administrative order issued or modified in a pro-**
5 **ceeding under ORS chapter 107, 108, 109, 110, 416, 419B or 419C that contains an order for the**
6 **payment of child support or spousal support must specify an initial due date and year for the**
7 **payment of support that is on the first day of a calendar month, with subsequent payments**
8 **due on the first day of each subsequent month for which the support is payable.**

9 **(2) For purposes of support enforcement, any support payment that becomes due and**
10 **payable on a day other than the first day of the month in which the payment is due shall be**
11 **enforceable by income withholding as of the first day of that month.**

12 **(3) Any court order or administrative order that contains an award of child, medical or**
13 **spousal support that accrues on other than a monthly basis may, for income withholding and**
14 **administrative support billing purposes only, be converted to a monthly amount.**

15 **(4) Support payments become delinquent only if not paid in full within one month of the**
16 **payment due date. A monthly child support obligation that is to be paid in two or more in-**
17 **stallments does not become delinquent until the obligation is not paid in full by the due date**
18 **for the first installment in the next month.**

19 **(5) Subsections (2) and (3) of this section do not apply to the determination or issuance**
20 **of support arrearage liens, installment arrearage liens, judgment liens, writs of garnishment**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **or any other action or proceeding that affects property rights under ORS chapter 18.**

2
